

DOCUMENT NO. 2008-1788  
KATHY BENNETT  
CALHOUN CO. RECORDER

OCT 08 2008

AT 4:01 AM PM  
RECORDING FEE \$  
AUDITOR'S TRANSFER FEE \$ NO-FEE

**WARRANTY DEED**  
(CORPORATE GRANTOR)  
THE IOWA STATE BAR ASSOCIATION  
Official Form No. 104  
Recorder's Cover Sheet

**Preparer Information:** (name, address and phone number)

Douglas M. Becch, P.O. Box 3001, Ankeny, IA 50021, Phone: (515) 965-6284

**Taxpayer Information:** (name and complete address)

Calhoun County, c/o Calhoun County Attorney's Office, 412 Main Street, Rockwell, City, IA 50579

**Return Document To:** (name and complete address)

Cynthia Voorde, Calhoun County Attorney's Office, 412 Main Street, Rockwell City, IA 50579

**Grantors:**

Casey's Marketing Company

**Grantees:**

Calhoun County, Iowa

**Legal Description:** See Page 2

**Document or instrument number of previously recorded documents:**

**WARRANTY DEED**  
(CORPORATE GRANTOR)

For the consideration of One Dollar and other valuable consideration, **Casey's Marketing Company**, an Iowa corporation, does hereby Convey to **Calhoun County, Iowa**, an Iowa county, the following described real estate in Calhoun County, Iowa:

A tract of land in Lots 1 and 2, Smith's Addition to Rockwell City, Calhoun County, Iowa, described as follows: Commencing at the Southeast corner of Lot 1, Smith's Addition to the Town of Rockwell City, Calhoun County, Iowa, thence North along the East line of said Lot 1 for a distance of 50 feet; thence West on a line parallel with South line of said Lot 1 for a distance of 48 feet; thence North on a line parallel with the East line of Lot 1, for a distance of 10 feet; thence West along the North line of Lot 1, for a distance of 12 feet; thence North on a line parallel with the East line of Lot 2, for a distance of 30 feet; thence West on a line parallel with the South line of Lot 1 for a distance of 90 feet; thence South along the West line of Lots 1 and 2 a distance of 90 feet; thence East along the South line of Lot 1, 150 feet to the place of beginning;

AND

A tract of land in Lots 1 and 2 in Smith's Addition to Rockwell City, Calhoun County, Iowa, described as follows: Commencing at a point 50 feet North of the Southeast corner of Lot 1 in Smith's Addition to Rockwell City, Calhoun County, Iowa; thence West 48 feet; thence North 10 feet to the North line of said Lot 1; thence West 12 feet; thence North 30 feet; thence West 90 feet to the West line of Lot 2; thence North 30 feet; thence East 150 feet to the North line of Lot 2; thence South 70 feet to the Point of Beginning.

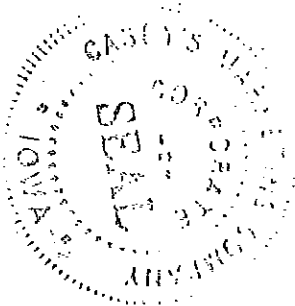
Consideration for this Deed is less than \$500.00. Pursuant to Section 428A.221 of the Code of Iowa (2001), no Declaration of Value or Groundwater Hazard Statement is required and no transfer tax is due.

The Corporation hereby covenants with grantees, and successors in interest, that it holds the real estate by title in fee simple; that it has good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances, except as may be above stated; and it covenants to Warrant and Defend the real estate against the lawful claims of all persons, except as may be above stated.

In further consideration hereof Calhoun County covenants and agrees, for themselves, their heirs, executors, personal representatives, successors and assigns, that for a period of fifteen (15) years from and after the date hereof the real estate herein conveyed will not be used for or in conjunction with any business that includes the sale of gasoline or other motor fuels, groceries, packaged beer or liquor (beer or liquor purchased for consumption off premises), tobacco products and prepared foods, including pizza and donuts. This covenant shall run with the land and be binding upon all assignees, transferees and successors in interest to the property for said term of fifteen (15) years.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, according to the context.

Dated: October 2, 2008



**CASEY'S MARKETING COMPANY**

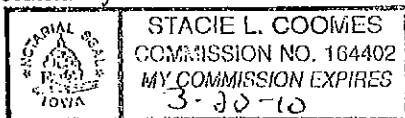
By: Michael R. Richardson  
Michael R. Richardson, President

By: Eli J. Wirtz  
Eli J. Wirtz, Secretary

**ACKNOWLEDGMENT**

STATE OF IOWA                    )  
  ) SS:  
COUNTY OF POLK                )

On this 2 day of October, 2008, before me the undersigned, a Notary Public in and for said county and state, personally appeared Michael R. Richardson and Eli J. Wirtz, who being by me duly sworn, did state that they are the President and Secretary, respectively, of Casey's Marketing Company, the corporation named in the foregoing instrument; that the seal affixed to the foregoing instrument is the seal of said corporation; and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and the said Michael R. Richardson and Eli J. Wirtz, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.



Stacie L. Coomes  
Notary Public in and for the State of Iowa